

ANTHONY LEON SUMMERS	§	
VS.	§	CIVIL ACTION NO. 1:10cv709
BRAD LIVINGSTON, ET AL.	§	

As more than three of plaintiff's prior lawsuits have been dismissed as frivolous and for failure to state a claim, 28 U.S.C. § 1915(g) provides that he may only proceed with a lawsuit on an *in forma pauperis* basis if his complaint demonstrates he was in imminent danger of serious physical injury at the time he filed his lawsuit. While plaintiff's allegations are serious, he has not provided factual specifics concerning his alleged mistreatment. Further, his allegations give no indication that any of the named defendants had any involvement with his mistreatment or were aware of the mistreatment. *See Bell v. Livingston*, 356 F.App'x 715, 717 (5th Cir. 2009) (affirming dismissal

under Section 1915(g) where pleadings did not demonstrate the named defendants had any personal involvement with the allegations in the complaint). As a result, the court is unable to conclude plaintiff was in imminent danger of serious physical injury as a result of the actions of the individuals named as defendants in this lawsuit. Plaintiff has therefore failed to overcome the bar imposed by Section 1915(g).

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED** as the opinion of the court. A final judgment shall be entered in accordance with the recommendation of the Magistrate Judge.

So **ORDERED** and **SIGNED** this **5** day of **March, 2014**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge